

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Panchayats – Appeal Petition filed by Smt Banothu Rangamma, Sarpanch (Removed), Mattampally Gram Panchayat & Mandal of Nalgonda District –Against Proceedings of District Collector(PW) Nalgonda District No.620/07-B1(Pts.)2, dated 31.01.2008 – Allowed - Orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

**G.O.Rt.No. 497:**

**Dated: 27-02-2009**

**Read the following:-**

- 1)From the District Collector(PW),Nalgonda District Proceedings No.620/2007-B1 (Pts)1, dated 30-01-08.
- 2)Appeal Petition from Smt Banothu Rangamma, Sarpanch (Removed), Mattampally Gram Panchayat & Mandal of Nalgonda District, 10-03-08.
- 3) Govt.Memo.No.8497/Pts.II/A1/2008, dated11.04.2008
- 4)Govt. Telegram No.8497/Pts.II/A1/2008-6,dated 24-07-08.
- 5)From the Dist.Panchayat Officer,Nalgonda District, Roc. No.620/2007-B1 (Pts), dated 29-04-08
- 6)Govt. Telegram No.8497/Pts.II/A1/2008-7,dated 13-08-08.
- 7)From the District Panchayat Officer, Nalgonda District, Roc. No.620/2007-B1 (Pts), dated 26-08-08.

**ORDER:-**

In the reference 1<sup>st</sup> read above the District Collector(PW) Nalgonda District has removed Smt. Banothu Rangamma, from the Post of Sarpanch of Mattampally Gram Panchayat and Mandal of Nalgonda District for misappropriating Gram Panchayat funds under section 249(1) of APPR Act, 1994.

2. Aggrieved by the said orders, in the reference 2<sup>nd</sup> read above, Smt Banothu Rangamma, Sarpanch (Removed), Mattampally Gram Panchayat and Mandal of Nalgonda District has filed an appeal petition before the Government and requested to set aside the proceedings dated 30.1.2008 issued by the District Collector (PW) Nalgonda.

3. In the reference 3<sup>rd</sup> read above, Government have requested the District Collector (PW) Nalgonda District to send his report to Government on the appeal petition filed by the individual. In the reference 4<sup>th</sup> and 6<sup>th</sup> read above Government have informed to the District Collector(PW) Nalgonda District and all other concerned to attend the hearing with relevant material.

4. In the reference 5<sup>th</sup> and 7<sup>th</sup> read above, the District Panchayat Officer, Nalgonda District has submitted his report to the Government.

5. The case was heard on 17.4.2008 and both parties have attended the hearing. The petitioner has contended that she never misappropriated any Gram Panchayat funds and whatever the amounts she has drawn, was spent it on the development works and every thing is on record, that she is an innocent and do not know the procedures. She has requested to provide another opportunity for producing all the vouchers and other relevant material before the authorities. If ultimately anything is proved that she has misappropriated, she will remit the same to the Gram Panchayat funds. Having considered the fact that the petitioner being a lady Sarpanch and innocent of the rules and procedures, though ignorance of law has no excuse, yet an opportunity was provided to her. Therefore the District Panchayat Officer who was present at the time of hearing was instructed to once again verify the records and determine the actual amount misappropriated by the petitioner and recover the same from her by 30.4.2008.

(P.T.O.)

6. The District Panchayat Officer, Nalgonda has got the connected records verified by the Divisional Panchayat Officer, duly giving an opportunity to the petitioner. On verification of records with the Bills and Vouchers subsequently produced by the petitioner the total misappropriated amount comes to Rs.1,52,439/- as against the original amount of Rs.6,91,248/-. The case was again posted for hearing on 4.8.2008. The petitioner appeared along with her advocate and produced copies of Challan No.840 dt.29.4.2008 for an amount of Rs.1,52,179/- and another challan No.839 dated 29.4.2008 for an amount of Rs.260/- in token of having remitted the amounts by the petitioner into Gram Panchayat funds. The District Panchayat Officer, Nalgonda who was present has sought for time to verify the records. On verification of records, the District Panchayat Officer, Nalgonda has stated that the petitioner has ultimately remitted the amounts drawn by her.

7. Government having gone through the records found that the petitioner has indulged in misappropriation of Gram Panchayat funds. She has remitted the amount so misappropriated into Gram Panchayat funds and pleaded that as she belongs to S.T. Community, and being illiterate, she is not aware of the provision of the Act and Rule and the procedures. The complaint given against the Panchayat Secretary is out of frustration for which she has pleaded to excuse her. Being an illiterate women Sarpanch and belonging to S.T. Community, Government after careful consideration of the case have no hesitation to excuse her and allow the appeal as she has already remitted the amounts to Gram Panchayat funds. In the result the impugned proceedings of the District Collector(PW) is hereby set aside. However she may be warned to be more careful in future.

8. The District Collector (PW) Nalgonda District shall take necessary follow up action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHITRA RAMCHANDRAN  
SECRETARY TO GOVERNMENT

To  
The District Collector(PW) Nalgonda District.  
The Commissioner, Panchayat Raj & Rural Employment, AP Hyderabad.  
The District Panchayat Officer, Nalgonda District  
Smt Banothu Rangamma, Sarpanch(Removed)  
Mattampally Gram Panchayat & Mandal, Nalgonda District.  
P.S. to Minister(PR)  
P.S. to Secretary to Government(PR)  
SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER